

## **REMARKS/ARGUMENTS**

### **STATUS OF THE CLAIMS**

Claims 42-48, 50-76, 122-130, and 132-159 are pending with entry of this amendment, claims 1-41, 49, 77-121, and 131 being cancelled and claims 138-159 being added herein. Claims 46-48, 55-56, 69, 129-130, and 133 are amended herein. These amendments, which are formal in nature, introduce no new matter and support is replete throughout the specification. These amendments are made without prejudice to renewal of the claims in their original form and are not to be construed as abandonment or dedication of the previously claimed subject matter or agreement with any objection or rejection of record.

With respect to the amendments to the claims, support for the amendments can be found throughout the specification. For example, support for the amendments to claim 46, and support for new claims 138-140, can be found in the specification at paragraph [0038] as well as in claim 46 as originally filed. Support for the amendments to claims 47 and 129 can be found, e.g., in the specification at paragraph [0053] as well as in claims 47 and 129 as originally filed. Support for the amendments to claim 48 can be found, e.g., in the specification at paragraph [0050] as well as in claim 48 as originally filed. Support for the amendments to claim 55, and support for new claims 141-146, can be found, e.g., in the specification at paragraph [0048] as well as in claim 55 as originally filed. Support for the amendments to claim 56, and support for new claims 147-153, can be found, e.g., in the specification at paragraph [0048] as well as in claim 56 as originally filed. Support for the amendments to claim 69, and support for new claim 154, can be found, e.g., in the specification at paragraph [0057] as well as in claim 69 as originally filed. Support for the amendments to claim 130, and support for new claim 155, can be found, e.g., in the specification at paragraph [0050] as well as in claim 130 as originally filed. Support for the amendments to claim 133, and support for new claims 156-159, can be found, e.g., in the specification at paragraph [0069] as well as in claim 133 as originally filed.

Applicants cancel non-elected claims 1-41 and 77-121 with entry of this amendment. Please note, however, that Applicants reserve the right to file subsequent applications claiming the cancelled subject matter and the claim cancellations should not be construed as

abandonment or dedication of the previously claimed subject matter, or agreement with any restriction, objection, or rejection of record.

Applicants submit that no new matter has been added to the application by way of the above claim amendments, which merely address formal matters. Accordingly, entry of the Amendment is respectfully requested.

The action of April 20, 2007 included: objections to the claims (item 3) and indication of allowable subject matter (item 4). Applicants traverse all objections, to the extent that they may be applied to the amended claims, for the reasons noted herein.

#### THE INFORMATION DISCLOSURE STATEMENT

Applicants note with appreciation the Examiner's thorough consideration of the references cited in the Information Disclosure Statement (Form 1449) submitted on November 17, 2003.

#### OBJECTIONS TO THE CLAIMS (ACTION ITEM 3)

Applicants gratefully acknowledge the allowance of claims 42-76 and 122-137 in the Action. Applicants have addressed the formal matters noted by the Examiner with the above claim amendments, as follows.

Claims 46-48, 55-56, 69, 129-130, and 133 were objected to for use of the alternative term "or". These claims have been amended, and new claims 138-159 have been added, to present each desired alternative in a separate dependent claim, thus obviating the objection.

Claim 48 was objected to as being of improper dependent form for allegedly failing to further limit the subject matter of a previous claim. This claim has been amended to remove the limitation "wavelength between 300 nm and 700 nm" to which the objection was raised, thus obviating the objection.

Claims 49 and 131 were similarly rejected for allegedly failing to limit the subject matter of claim 48 because the wavelength range of claim 42 is between 100 and 400 nm. Applicants note that, as indicated in paragraph [0038] of the specification, the apparatus

optionally also produces uncaging light with a wavelength greater than 400 nm, and thus the wavelength distribution can be centered at 365 nm (fulfilling the limitations of claim 49 or 131) while still meeting the limitations of claim 42 or 130. However, in the interest of expediting prosecution, Applicants have cancelled these claims, rendering the objection moot.

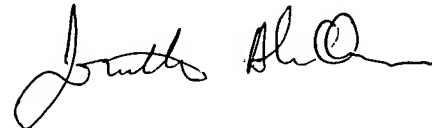
### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the claims are deemed not to be in condition for allowance after consideration of this Response, a telephone interview with the Examiner is hereby requested. Please telephone Monica Elrod-Erickson at (510) 337-7871 to schedule an interview.

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Respectfully submitted,



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Attachments:

- 1) A transmittal sheet;
- 2) A receipt indication postcard.